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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/726,859	12/02/2003	Roy Bernard Mann		5605
36485	7590	10/06/2006		
J. SCOTT DENKO ANDREWS & KURTH LLP 111 CONGRESS AVE., SUITE 1700 AUSTIN, TX 78701				
			EXAMINER KNOWLIN, THJUAN P	
			ART UNIT 2614	PAPER NUMBER

DATE MAILED: 10/06/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/726,859

Applicant(s)

MANN, ROY BERNARD

Examiner

Thjuan P. Knowlin

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02 December 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 4-13 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 4-13 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 02 December 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date 12/07/04.
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- ☐ Notice of Informal Patent Application
- ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

1. Claims 4-13 are rejected under 35 U.S.C. 102(b) as being anticipated by Morganstein et al (Us 5,901,203).
2. In regards to claim 4, Morganstein discloses a telephonic device (See Fig. 6 and computer 50) comprising: a display screen (e.g., liquid crystal display or light emitting diode display) on the telephonic device (See col. 18 lines 20-26), the display screen having capability to display at least 10 lines of text (See col. 18 lines 26-34 and Fig. 7a – 7d); an input and output terminal adapted for communicating on a voice sub-channel and a data sub-channel of one or more communications channels, the telephonic device adapted for receiving textual data (i.e., name or identification pertaining to the caller) from the data sub-channel and transmitting data regarding options (e.g., call routing options) chosen by interaction with the telephonic device (See col. 19 lines 1-17 and col. 19-20 lines 38-6); a plurality of buttons (See Fig. 7c and call routing options 86, 87, 88, and 89) on the device, the buttons located at least partially around a periphery of the display screen, the buttons adapted to select options presented on the display screen, at least one of the buttons adapted to request a voice connection (See Fig. 7c and

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option 86 {Accept Call}) over the input and output data terminal (See col. 19 lines 38-52).

3. In regards to claim 5, Morganstein discloses the telephonic device, in which the voice sub-channel and the data sub-channel are carried at least partially over a telephone line (See col. 7 lines 9-33).

4. In regards to claims 6 and 7, Morganstein discloses the telephonic device, in which the telephonic device is adapted to receive and display a tree of call routing options (i.e., call routing options 84) (See Fig. 7a – 7d and col. 18 lines 20-41).

5. In regards to claim 8, Morganstein discloses the telephonic device, in which the display screen is a touch screen, and in which the telephonic device is adapted to receive and display the tree of call routing options by displaying a subset of the available options in response to a selection of an option on the touch screen (See col. 6 lines 16-18 and col. 19 lines 38-52).

6. In regards to claims 9, 10, and 12, Morganstein discloses a private branch exchange (PBX) (See Fig. 6, switch 60, and col. 3 lines 15-16) comprising: an input and output terminal (See Fig. 6 and computer 50) adapted for communicating on a voice sub-channel and a data sub-channel of one or more communications terminals (See col. 7 lines 9-33); an outgoing text interaction module, the outgoing text interaction module adapted for communication with a telephonic device through the input and output terminal, the outgoing text interaction module adapted for providing textual data to the telephonic device and receiving back data (e.g., choice of call routing) from the telephonic device regarding options chosen by interaction with the telephonic device;

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the outgoing text interaction module adapted to establish a connection on the voice sub-channel based on options chosen by interaction with the telephonic device (See col. 18 lines 20-41).

7. In regards to claim 11, Morganstein discloses the private branch exchange, in which the outgoing text interaction is adapted for providing textual data in the form of a tree of choices (See col. 18 lines 20-41 and col. 19 lines 38-52).

8. In regards to claim 13, Morganstein discloses the private branch exchange, in which the one or more communications channels comprise telephone lines (See Fig. 6 and telephones associated with callers 14).

Conclusion

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Morganstein et al (US 6,445,775) teach a computer-based system and method for identifying an unidentified caller. Castell et al (US Patent Application Publication, Pub. No.: US 2002/0098831 A1) teach a unified message system and method.

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thjuan P. Knowlin whose telephone number is (571) 272-7486. The examiner can normally be reached on Mon-Fri 8:30-5:00pm.

11. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wing Chan can be reached on (571) 272-7493. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

12. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

A handwritten signature in black ink, appearing to read 'Thjuan P. Knowlin', with a stylized, cursive script.

THJUAN P KNOWLIN
PATENT EXAMINER
TECHNOLOGY CENTER 2600